

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6172 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

(No. 1 to 5 NO)

BHUPENDRA NATVARLAL RAVAL

Versus

MAMLATDAR DEHGAM

Appearance:

PARTY-IN-PERSON for Petitioner

Mr. S.T. Mehta, Ld.GOVERNMENT PLEADER for
Respondents

CORAM : MR.JUSTICE S.D.DAVE

Date of decision: 18/11/97

ORAL JUDGEMENT

Rule. Ld. Govt. Counsel Mr. S.T. Mehta
waives service of rule for the Respondents.

The grievance made by the party-in-person, who happens to be a counsel practicing before this Court is that, in the Birth Register concerned, despite his best efforts, his name from Brahm Kumar is not being changed to his real name Bhupendra. The case of the petitioner is

that the above said is an incorrect mention of the name in the Register, probably on certain say of his late grand-father. According to the petitioner, his true & real name happens to be Bhupendra and the same appears in his school and college record. Upon hearing the party-in-person, I am satisfied that a mistake has crept in while recording the name in the Birth Register.

The question was as to whether the name in a Birth Register could be corrected. This question has been decided by this Court in case of Dr. Sukumar Mehta Vs. District Registrar, Births & Deaths, 1992 (1) GLR, pg. 93 In this decision, as it appears from para-5, ultimately the petition came to be allowed and the Respondent concerned came to be directed to entertain the application of the petitioner by accepting the same and to amend the entry in the Birth Register by amending the name from that of 'Suchi to Prachi'. In the instant case also it would be appropriate if I direct the Respondent concerned to accept the petition, which is already presented before him, and to change the name from that of "BRAHMKUMAR" to " BHUPENDRA ". I order accordingly. The petition succeeds to the above said extent. Rule is made absolute. No order as to costs.

Upon a request coming from the party-in-person, I would direct the concerned Respondent to complete the formalities within a period of two weeks, from the date of receipt of the writ of the present orders. Direct service permitted.

/vgn.